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December 23, 2021

VIA ECF & E-MAIL

Hon. Andrew L. Carter, Jr.
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: Kirk v. Citigroup Global Markets Holdings Inc., 1:20-cv-07619 (S.D.N.Y.)

Response to Doc 91

Dear Judge Carter,

The Doc 91 allegations are the same in nature as the Doc 86 allegations which I responded to in my Doc 87. Quoting from Doc 87, "I responded to the plaintiffs by sending them each a file of how I would respond in their case if I were them, and all three were well aware that I am not an attorney and thus not permitted to give legal advice. It is also crystal clear from the plethora of supporting exhibits for Docs 54 and 72 from my posts in the online group that I am not an attorney and I've posted such many times and that I'm not allowed to give legal advice. If I didn't help such victims, I would consider it a sin of omission. Responding to their desperate plea for help by showing how I would respond is in no way acting on their behalf as all three plaintiffs emailed their response to the court in their cases, not me. They each decided whether or not to edit the file or even use it at all. The files are not even my advice as a non-attorney, simply an observation of how I would respond if I were them." To that quote I now add that I never ADVISED them to respond as I would have if I were them.

Furthermore, in the case of Mr. Ravi from which Doc 91 and its exhibits are based, I ended all contact with Mr. Ravi over seven months ago in mid-May, 2021 and at that time removed him from the online Facebook group of the nearly 700 other uwt stockholder victims. So, regarding the meta data in Docs 91-1 and 91-2 showing myself as the author, I presume Mr. Ravi merely accessed the documents from my case via the pacer.gov online court filing. I can only read the 91-1 and 91-2 meta data results and not what the original Docs filed in the Ravi case are because I can't access the Ravi case or any case including my own from the pacer.gov system because pacer claims that I reached my limit for accessing/downloading files at no cost though has provided me no data to support their claim. Not being able to access one's own case file, regardless of whether pacer claims that I've reached my free limit, is clearly against one's right of due process and pacer should immediately be ordered to change their system to allow free access to one's own case without exception. I can't further address the info in Docs 91-1 and

91-2 because I can't see the original Docs from the Ravi case without the meta data superimposed on them.

Respectfully submitted this 23th day of December, 2021

/s/ David M Kirk

David M Kirk, plaintiff

Cc: Samuel J. Rubin (via ECF and e-mail)